

FILED OF 124717 4:10:01

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

April 24, 2017

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: Bridge NY Project Agreement with NYSDOT
Quaker Street - CR498 Bridge over Clear Creek Replacement
BIN 3328340 - Town of Collins - NYS PIN 5762.14**

Dear Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the County of Erie to participate in the above-noted Project and also authorizing the County Executive to enter into a Agreement with the New York State Department of Transportation to pay the Federal and non-Federal share of the cost of design phases I-VI and right of way incidentals for this project.

Should your Honorable Body require further information, I encourage you to contact the Department of Public Works, Office of the Commissioner. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", written over a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:dms/dab

cc: Charles A. Sickler, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Bridge NY Project Agreement with NYSDOT
Quaker Street - CR498 Bridge over Clear Creek Replacement
BIN 3328340 - Town of Collins - NYS PIN 5762.14
Date: April 24, 2017

SUMMARY

Adoption of the resolution authorizing the County of Erie to enter into an Agreement with the NYSDOT for the design phases I thru VI and right of way incidentals for the above-noted project.

FISCAL IMPLICATIONS

The total cost of the Preliminary Engineering and Right-of-Way Incidentals the project is currently estimated at \$180,000 and requires a 5% local share of \$9,000. The remaining 95% of the project in the amount of \$171,000 will be reimbursed through the Bridge NY local project agreement. The local share of \$9,000 is available in SAP Project B.15019, BA 123, Fund 420, 2015 Capital Overlay Program. A new project fund in BA 123, Fund 420 will be established for the project in the amount of \$180,000.

REASONS FOR RECOMMENDATION

The Erie County Department of Public Works wants to initiate the design phase of the Project by entering into an Agreement for design phases I thru VI and right of way incidentals with the New York State Department of Transportation. The Project benefits from Federal Aid reimbursement through the Bridge NY program.

BACKGROUND INFORMATION

This project has been approved by the New York State Department of Transportation in their current Capital Program to be funded with Federal Aid funds.

CONSEQUENCES OF NEGATIVE ACTION

If the Agreement is not approved, the replacement of the Quaker St. Bridge over Clear Creek will continue to deteriorate and pose problems for the traveling public. Failure to execute this Agreement will jeopardize receipt of the Project and possibly the loss of eligibility for future Bridge NY Program participation.

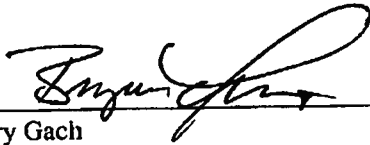
STEPS FOLLOWING APPROVAL

Department of Budget will establish a new capital project in the amount of \$180,000 for the local share and the anticipated federal revenue. The Highway Division will proceed with execution of

agreements with the County Executive and the New York State Department of Transportation, and the project will proceed on schedule.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized capital project for which there are sufficient appropriates for the action proposed.



Gregory Gach
Deputy Comptroller
Comptroller's Office

BRYAN FIUME
Associate Deputy Comptroller

NYS PIN 5762.14

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Bridge NY Project Agreement with NYSDOT
 Quaker Street - CR498 Bridge over Clear Creek Replacement
 BIN 3328340 - Town of Collins - NYS PIN 5762.14

WHEREAS, the replacement of Quaker St. Bridge over Clear Creek, BIN 3328340, PIN 5762.14, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds, depending upon the Bridge NY Funding Program; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the 95% of reimbursable Federal share and payment of the 5% local share the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project; and

WHEREAS, the design phases I - VI and incidental right of way phase of the Project, PIN 5762.14, is currently estimated at \$180,000 and the County is required to pay the estimated local share for the Project in the amount of \$9,000 which is available from Project B.15019, BA 123, Fund 420, 2015 Capital Road Overlay Program; and

WHEREAS, this new project requires a new capital project, established in the amount of \$180,000 in BA 123, Fund 420.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the replacement of Quaker St. Bridge over Clear Creek, BIN 3328340, PIN 5762.14; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the preliminary engineering (Design I-VI) and right-of-way incidentals, phases of the Project or portions thereof in the amount of \$180,000; and be it further

RESOLVED, that the Erie County Comptroller establish a new capital project in the amount of \$180,000 in BA 123, Fund 420, for the anticipated federal revenue G/L Account 414000 available to cover the cost of participation in the above Project; and be it further

RESOLVED, that the local share required in the amount of \$9,000.00 from Project B.15019.2, 2015 Capital Overlay Program, BA 123, fund 240, be made available for the costs of the above Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's design phases I-VI, and right of way incidentals phases exceeds the amount appropriated, \$180,000.00, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the Erie County Comptroller is authorized to pay for the project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.

TO: GREGORY GACH, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST

CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS


REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|--|
| 1. CONTRACTOR'S NAME | New York State Department of Transportation
_____ |
| 2. AMOUNT OF CONTRACT | \$180,000
_____ |
| 3. PROJECT NUMBER | SAP B.xxxxx = \$180,000
_____ |
| 4. PROJECT TITLE | 2015 Capital Overlay Program
Quaker St. Bridge over Clear Creek Replacement
Funding questions: Charles A. Sickler, PE at 8372
_____ |
| 5. DEPARTMENT CONTACT | Letter pickup: Diane Bukowski at 8301
_____ |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|---|
| 6. AVAILABILITY OF FUNDS | \$ 180,000.00 (based on resolution)
_____ |
| 7. PERFORMED BY | 
_____ |
| Date Sent to Comptroller's Office: | April 12, 2017
_____ |

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